

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAN CHILCOTT, Plaintiff,)
v.) C.A. No. 05-225 Erie
DOMESTIC RELATIONS SECTION, et al, Defendants.)

MEMORANDUM ORDER

Plaintiff's complaint was received by the Clerk of Court on August 10, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

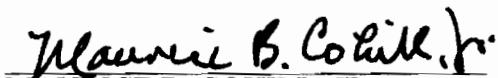
The magistrate judge's report and recommendation, filed on September 25, 2006, recommended that the Motions to Dismiss filed by Defendant Erie County Prison (Docs. #51 and #53) be granted, and the Motion to Dismiss filed by Defendants Root and Goring (Doc. #58) be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at 704 East 8th Street, Erie, PA 16503, the last address of record, and on Defendants. Objections were filed by Defendants Root and Goring on October 3, 2006, and by Plaintiff on October 5, 2006. After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this *28* *th* Day of October, 2006;

IT IS HEREBY ORDERED that the Motions to Dismiss filed by Defendant Erie County Prison (Docs. #51 and #53) are GRANTED, and it is further

ORDERED that the Motion to Dismiss filed by Defendants Root and Goring (Doc. #58) is DENIED.

The report and recommendation of Magistrate Judge Baxter, dated September 25, 2006, is adopted as the opinion of the court.


MAURICE B. COHILL, JR.
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____